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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICKIE JOHN GRATE, by and through his) Case No. C 04-5220 MEJ MED
Guardians Ad Litem, SANDRA TUCKER)
and MARSHA D. LATNER,)
Plaintiff,)
v.)
UNITED STATES OF AMERICA, and)
DOES 1 through 100, inclusive,)
Defendants.)

**STIPULATION AND PROPOSED
ORDER CONTINUING MEDIATION
DEADLINE**

On April 20, 2005, this Court issued an order that the parties attend a mediation by November 18, 2005. Defendant propounded discovery requests on September 13, 2005 and Plaintiff has requested additional time to respond. Plaintiff has had difficulty scheduling the depositions of medical professionals who are no longer employed by the Department of Veterans Affairs. Given the limited amount of discovery, the parties do not believe that they can have productive settlement negotiations prior to the current mediation deadline. Therefore, the parties stipulate to continue the current mediation deadline until February 10, 2006.

LAW OFFICES OF SEAN M. BURKE

DATED: October 26, 2005

By: //ss//
SEAN M. BURKE
Attorneys for Plaintiff

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2 KEVIN V. RYAN
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4 United States Attorney
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8 DATED: October 26, 2005

9 By: _____ //ss//
10 JOCELYN BURTON
11 Assistant United States Attorney
12 Attorneys for Defendant
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15 **ORDER**

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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19 October 27, 2005

20 DATED: _____

21 MARIA-ELENA JAMES
22 United States Magistrate Judge
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